

To: Scott Smith[ssmith@opflexinventor.com]
From: Durno, Mark
Sent: Wed 3/29/2017 4:53:35 PM
Subject: NRDC Lawsuit Settlement

Scott –

Take a look at the last ‘bullet’ on 3rd party monitoring. You should inquire with Scott about who that might be....

Mark

Here's what the settlement calls for:

--The city, compensated by the state, agrees to determine the composition of lines running from the street into at least 18,000 households and properties, and replace with copper those made of lead or galvanized steel, at no cost to the homeowners.

--The agreement calls for replacement of 6,000 lines by Jan. 1, 2018, and at least 6,000 more lines each of the two following years, with all lines covered by the agreement replaced by Jan. 1, 2020.

--The agreement does not call for door-to-door bottled water delivery, which the plaintiffs had sought, but calls for residents to be able to call the 211 city phone number and receive free water deliveries within 24 hours. The service can be discontinued if water monitoring for the six-month period ending June 30 is below the U.S. Environmental Protection Agency's "action level" for lead, the agreement says.

--The agreement requires the state and city to continue to operate at least nine community water resource sites, where residents can pick up bottled water, water filters and cartridges, until May 1. It permits the state to close three centers between May 1 and June 1, but only if demand has dropped off, and close up to two additional centers between June 1 and July 1, again if demand has dropped off.

--The state won't be required to operate any water distribution centers after Sept. 1, provided water monitoring for the six-month period ending June 30 is below the U.S. Environmental Protection Agency's "action level" for lead.

--The state will expand its program of water filter education, installation and maintenance. The state will make its best efforts to have at least 90 filter education specialists at work throughout the city, eight hours per day, Monday through Saturday, with specialists also available on Sundays by appointment and for follow-up.

--The state will advertise the work of the filter specialists on TV, radio and other media, including ads in Spanish.

--The state will provide the city with filter replacement cartridges so that residents will have free filter cartridges to use for one year after the replacement of their lead or galvanized steel water lines.

--The state will continue its Medicaid expansion for Flint residents -- covering pregnant women and children younger than 21 up to 400% of the poverty level -- through March 2021.

--The state will continue elevated blood level case management services, for children with elevated blood levels, plus other services for children and nutrition services, through September 2018.

--Abandoned households are not covered by the agreement, though any household with an active water account on the effective date of the agreement is covered, even if the water bill is overdue.

--The agreement calls for extensive water monitoring following the line replacements to ensure the water is safe to drink, including the use of a third-party independent monitor. It also calls for extensive public reporting.

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